

KATHLEEN A. LEAVITT  
 CHAPTER 13 BANKRUPTCY TRUSTEE  
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*Electronically Filed*

UNITED STATES BANKRUPTCY COURT  
 FOR THE DISTRICT OF NEVADA

In re:	)	BK-22-11027-ABL
	)	Chapter 13
LILLIAN JO SONDGEROTH DONOHUE,	)	
	)	Date: n/a
Debtor.	)	Time: n/a

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**MOTION TO FILE UNDER SEAL**

COMES NOW Kathleen A. Leavitt, Chapter 13 Bankruptcy Trustee by and through counsel of record, Danielle N. Gueck-Townsend, Esq., and hereby requests this Honorable Court to approve filing documents under seal. Trustee brings this Motion pursuant to Federal Rule of Bankruptcy Procedure 9018 as well as Local Bankruptcy Rule 9018. Trustee requests that the Court take Judicial Notice of the Docket in this case pursuant to Federal Rule of Evidence 201.<sup>1</sup>

**Statement of Facts**

Debtor has filed a Motion to Dismiss titled Donohue's Dismissal of Her Chapter 13 Case and Motion to Return to Donohue All Funds the Chapter 13 Trustee is Holding (*see* Docket No. 137) (hereinafter "Dismissal and Turnover Motion"). The Dismissal and Turnover Motion requests that the Court dismiss Debtor's Bankruptcy Case and require the Trustee to turn over to the Debtor all funds that the Trustee has in this Bankruptcy Case (*see* Docket No. 137). Trustee and Debtor have come to an agreement resolving

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<sup>1</sup> In the body and footnotes of this document, all references to "Section" or "§" shall be to provisions of the Bankruptcy Code set forth in Title 11 of the United States Code, 11 U.S.C. §101, et seq., unless specifically indicated otherwise. Additionally, all references to "Docket" or "Dkt. No." shall be references to the Court's docket for this case. All references to "F.R.B.P." are to the Federal Rules of Bankruptcy Procedure.

certain aspects of the Motion considering the unique nature of this case, the current appellate activity and potential circuit split regarding certain issues. The Trustee and Debtor have agreed that the resolution will be confidential.

### **Legal Argument**

Due to the unique nature of this case and the extensive appellate activity surrounding certain issues, the Parties agreed in the Stipulation that this resolution shall be confidential. Pursuant to the Federal Rule of Bankruptcy Procedure 9018 and Local Bankruptcy Rule 9018, Trustee files this Motion to File Under Seal to protect the estate and to ensure that the Parties' agreement regarding confidentiality be maintained. F.R.B.P. 9018, L.R. 9018. As such, the Parties request that this Honorable Court allow the Stipulation Resolving Donohue's Dismissal of Her Chapter 13 Case and Motion to Return to Donohue All Funds the Chapter 13 Trustee is Holding to be filed under seal.

### **CONCLUSION**

Wherefore, for the above reasons, Trustee respectfully requests that the Court grant enter an Order:

1. Granting the Motion to File Under Seal; and/or
2. Any other relief this Honorable Court deems just and reasonable.

DATED this 17<sup>th</sup> day of May, 2023.

/s/ Danielle N. Gueck-Townsend  
 DANIELLE N. GUECK-TOWNSEND, ESQ.  
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 Chapter 13 Bankruptcy Trustee